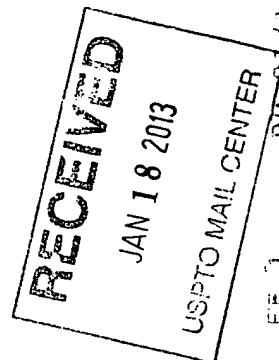


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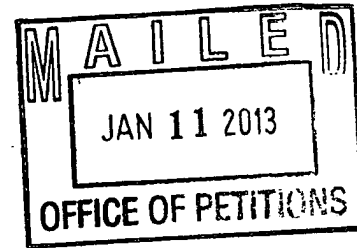


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Gregory IPL, P.C.  
306 North Pines Road  
SPOKANE VALLEY WA 99206-5180



In re Patent No. 6,498,989  
Issue Date: December 24, 2002  
Application No. 09/453,158  
Filed: December 1, 1999  
Attorney Docket No. TR2-004(Old # TR01-P04)

REQUEST FOR INFORMATION

This is a request for information on the petition under 37 CFR 1.378(c), filed October 31, 2012, to accept the unintentionally delayed payment of a maintenance fee for the above-identified patent.

The petition is **DISMISSED**.

Any request for reconsideration must be submitted within TWO (2) MONTHS from the mail date of this decision. Extensions of time under 37 CFR 1.136(a) are permitted. The reconsideration request should include a cover letter entitled "Renewed Petition under 37 CFR 1.378(c)." This is **not** final agency action within the meaning of 5 U.S.C. §704.

Pursuant to 37 CFR 1.378(d) any petition under this section must be signed by an attorney or agent registered to practice before the Patent and Trademark Office, or by the patentee, the assignee, or other party in interest. It is not apparent that Elena Herzog is a proper party.

In this regard, petitioner's attention is directed to 37 CFR 1.33(b), which states.

(b) Amendments and other papers. Amendments and other papers, except for written assertions pursuant to § 1.27(c)(2)(ii) of this part, filed in the application must be signed by:

- (1) A registered patent attorney or patent agent of record appointed in compliance with § 1.32(b);
- (2) A registered patent attorney or patent agent not of record who acts in a representative capacity under the provisions of § 1.34;
- (3) An assignee as provided for under § 3.71(b) of this chapter; or
- (4) All of the applicants (§ 1.41(b)) for patent, unless there is an assignee of the entire interest and such assignee has taken action in the application in accordance with § 3.71 of this chapter.

The petition has not been reviewed on the merits.

It is further noted the 7.5 year maintenance fee is \$1,450 and the surcharge is \$1,640 for a total of \$3,090.

In addition, any future correspondence must include the correct patent and **application number**.

The address provided on the petition differs from the correspondence address of record. A courtesy copy of this decision is being mailed to the address given on the petition; however, the Office will mail all future correspondence solely to the address of record.

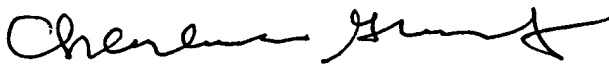
Further correspondence with respect to this matter should be addressed as follows:

By Mail:                      Mail Stop PETITION  
                                    Commissioner for Patents  
                                    Post Office Box 1450  
                                    Alexandria, VA 22313-1450

By hand:                      U. S. Patent and Trademark Office  
                                    Customer Service Window, Mail Stop Petitions  
                                    Randolph Building  
                                    401 Dulany Street  
                                    Alexandria, VA 22314

The centralized facsimile number is (571) 273-8300.

Telephone inquiries concerning this decision should be directed to the undersigned at (571) 272-3215.



Charlema Grant  
Attorney Advisor  
Office of Petitions

Cc:    Elena V. Herzog  
         8865 Wonderland Ave.  
         Los Angeles, CA 90046